



CITY OF HAYWARD AGENDA REPORT

AGENDA DATE 10/20/98
AGENDA ITEM 4
WORK SESSION ITEM

To: Mayor and City Council
From: City Manager
Subject: **MEASURE HH**

In the accompanying correspondence, the proponents of Measure HH are asking the City Council to adopt a resolution in support of the Measure. Upon receiving this letter, I made the opponents aware of it and invited them to also submit written comments.

Accordingly, letters **from** both sides of the Measure are presented for your consideration.

A handwritten signature in black ink, appearing to read "Jesus Armas", is written over a horizontal line.

Jesus Armas

Attachments

LAW OFFICES OF
Haley, Purchio, Sakai & Smith
22320 FOOTHILL BOULEVARD, #620
HAYWARD, CALIFORNIA 94541
P.O. BOX 450
HAYWARD, CALIFORNIA 94543
TELEPHONES (510)538-6400
(510)351-1932
FACSIMILE (510)538-0150

October 13, 1998



City Manger Jesus Armas
777 B Street
Hayward, CA 94541

Dear Jesus,

After the approval of the South of 92 Specific Plan by the City Council of Hayward 6 - 1 the next step is to have the citizens of the City of Hayward approve the rezoning of that part of the plan which was Baylands.

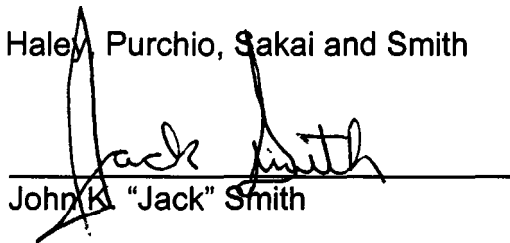
The Measure before the voters on November 3, 1998 is Measure HH. I hereby request on behalf of the Oliver Trust, that the City Council vote to support "Yes on Measure HH" with a resolution similar to the resolution attached.

Thank you very much for your consideration of this matter.

Best Personal Regards,

Haley, Purchio, Sakai and Smith

By:


John K. "Jack" Smith

C M -
ACM _____

FILE Sej 92

Whereas, in 1995 the City Council authorized the preparation of a Specific Plan for approximately 1200 acres South of State Route 92, in the vicinity of Hesperian and Industrial Boulevards; and

Whereas, the State of California subsequently purchased nearly 800 acres of property owned by **Cargill** Salt for open space and natural habitat; and

Whereas, the remaining acreage became the focus of careful study, and public input, resulting in a comprehensive Specific Plan, Environmental Impact Report and General Plan amendment for a mixed-use development consisting of residential, commercial and light manufacturing uses, together with preservation of open space, a 25-acre sports complex and two neighborhood parks; and

Whereas, following a series of public hearings, the Specific Plan was approved by the Planning Commission and City Council; and

Whereas approval of a portion of the Specific Plan, namely the Oliver West and the Weber properties, was conditioned on voter approval pursuant to the Open Space Ordinance adopted by the City Council.

Now, therefore be it resolved that the City Council hereby supports approval of Measure HH.

Committee to Save Open Space (CSOS)

PO Box 657, Hayward, CA 94543-0657 - Telephone (510) 886-4730, Fax (510) 886-4031

October 14, 1998

Mayor and Members of the City Council
City of Hayward
777 B Street
Hayward, CA 94541

Dear Mayor Cooper and Councilmembers:

Re: Measure HH - Request by Proponents for Council Resolution

It is our understanding that the proponents of Measure HH are asking the council for a resolution in support of the measure. The Committee to Save Open Space (CSOS) opposes the council taking such action. We respectfully request that the council refrain from taking a position for or against Measure HH, but, rather, remain neutral on the issue.

We believe it is not a common practice for city councils to take positions on local measures of this type. The council agreed to place Measure HH on the November ballot for decision by the Hayward voters. It would be improper for the council to now approve a resolution in favor of the measure when the council should be impartial and not interfere with the political process.

In addition, we feel there is good reason to delay the decision about development on the Oliver West and Weber parcels until such time that it is determined that these lands are not to be acquired for inclusion in the San Francisco Bay National Wildlife Refuge. We are hopeful that all parties involved can work together to get the beneficiaries of the Oliver Trusts the money they expect for Oliver West without destroying the baylands. It is a fact that the United States Fish and Wildlife Service remains interested in both Oliver West and Weber parcels. Please refer to Ms. Margaret Kolar's letter of October 13, 1998 (copy attached), which states that these parcels have "high priority for acquisition because of their important wildlife values and their vulnerability to loss."

Sincerely,

Viola Sam Barklow

For CSOS



United States Department of the Interior

FISH AND WILDLIFE SERVICE

San Francisco Bay National Wildlife Refuge Complex
P.O. Box 524
Newark, California 94560-0524
(5 10) 792-0222

October 13, 1998

Mrs. Viola Saima-Barklow
Committee to Save Open Space
P.O. Box 657
Hayward, CA 94543-0657

Dear Mrs. Saima-Barklow:

This is in response to your request for information about the U.S. Fish and Wildlife Service's (Service) interest in two parcels of land south of Route 92 in Hayward. The parcels, known as the Oliver tract and the Weber tract, are east of the California Department of Fish and Game's Baumberg tract and west of the Southern Pacific railroad tracks.

The Service identified these two parcels as potential additions to the Don Edwards San Francisco Bay National Wildlife Refuge in two environmental documents prepared in 1990, and included them within the refuge's approved acquisition boundary. The Land Protection Plan identified these parcels as high priority for acquisition because of their important wildlife values and their vulnerability to loss. Although funding for acquisition has not been available to date for their purchase, the Service remains interested in protecting this important habitat area.

If I can provide you with further information, please contact me at (5 10) 792-0222.

Sincerely,

Margaret T. Kolar
Refuge Complex Manager